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5 -and-

6 SimmonsCooper LLC
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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 IN RE: BEXTRA AND CELEBREX
15 MARKETING SALES PRACTICES,
16 AND PRODUCT LIABILITY
LITIGATION

Case No. M:05-CV-01699-CRB

MDL NO. 1699

**STIPULATION AND ORDER OF DISMISSAL
WITH PREJUDICE**

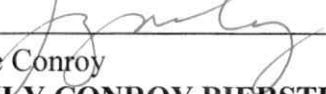
17 This Document Relates To:

18 *Lorenzo S. and Sarah Black, et. al., vs.*
Pfizer, Inc.,
19 *MDL No. 06-2887: Plaintiff Donald R.*
Smith

20
21 Come now the Plaintiffs, Donald R. Smith, and Defendant, Pfizer Inc., by and through the
22 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby
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27
28

1 stipulate to the dismissal with prejudice of Plaintiffs, **Donald R. Smith's** action only, with each
2 side bearing its own attorneys' fees and costs.

3
4
5 Dated: _____, 2009


6 By: 
7 Jayne Conroy
8 **HANLY CONROY BIERSTEIN**
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21 *Counsel for Plaintiff.*

22
23 Dated: March 11, 2009

24 By: 
25 Michelle W. Sadowsky
26 **DLA PIPER US LLP**
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Counsel for Defendant Pfizer, Inc.

23 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
24 **IT IS SO ORDERED.**

25
26 Dated: March 30, 2009

27 By: 
28 United States District Court